



General Assembly

February Session, 2000

Raised Bill No. 5826

LCO No. 2012

Referred to Committee on Judiciary

Introduced by:
(JUD)

An Act Concerning Paperless Arrest Warrants.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 54-2a of the general statutes is repealed and the following is
2 substituted in lieu thereof:

3 (a) In all criminal cases the Superior Court, or any judge thereof,
4 may issue (1) bench warrants of arrest upon application by a
5 prosecutorial official if the court or judge determines that the affidavit
6 accompanying the application shows that there is probable cause to
7 believe that an offense has been committed and that the person
8 complained against committed it, (2) subpoenas for witnesses, (3)
9 capias for witnesses and for defendants who violate an order of the
10 court regarding any court appearance and (4) all other criminal
11 process; and may administer justice in all criminal matters.

12 (b) The court or judge issuing a bench warrant for the arrest of the
13 person or persons complained against, shall, in cases punishable by
14 death or life imprisonment set the conditions of release or indicate that
15 the person or persons named in the warrant shall not be entitled to bail
16 and may, in all other cases set the conditions of release. The conditions

17 of release, if included in the warrant, shall fix the first of the following
18 conditions, which the court or judge finds necessary to assure such
19 person's appearance in court: (1) Written promise to appear; (2)
20 execution of a bond without surety in no greater amount than
21 necessary or (3) execution of a bond with surety in no greater amount
22 than necessary.

23 (c) In lieu of a warrant for the rearrest of any defendant who fails to
24 appear for trial at the place and time specified or on any court date
25 thereafter the court or judge may issue a capias.

26 (d) All process issued by said court or any judge thereof shall be
27 served by any proper officer, or an indifferent person when specially
28 directed to do so and shall be obeyed by any and all persons and
29 officers to whom the same is directed or whom it may concern.

30 (e) Whenever an arrest warrant is issued under this section, the
31 court or judge shall cause such warrant to be entered into a central
32 computer system. Existence of the warrant in the computer system
33 shall constitute prima facie evidence of the issuance of the warrant.
34 Any person named in the warrant may be arrested based on the
35 existence of the warrant in the computer system and shall, upon any
36 such arrest, be given a copy of the warrant.

Statement of Purpose:

To require arrest warrants to be electronically entered into a central computer system and provide that an electronic record of an arrest warrant constitutes evidence of the issuance and existence of the warrant.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]